

REMARKS

The Office Action mailed April 30, 2007 has been given careful consideration by the applicants. Reconsideration and reexamination of claims 1-19 are hereby respectfully requested.

The Office Action

The Examiner rejected claims 1-19 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,973,054 to Bjelland et al.

The Claims are not Anticipated by the Cited Patent

The Examiner rejected claims 1-19 under 35 U.S.C. §102(e) as being anticipated by Bjelland. However, as set forth in more detail below, the claims are not so anticipated.

Briefly, the Examiner cites Figure 4 in his rejection of independent claim 1 and 9, and relies heavily upon the concept of inherency. In doing so, the Examiner is apparently disregarding the recitation in the claims that this method and associated system include the establishment of an originating half call context and a terminating half call context which ultimately allows for efficient transmission of call content. The citations of the Examiner to Bjelland do not expressly teach half call context. For at least this reason, it is respectfully submitted that independent claims 1 and 9, and all claims dependent thereon, are not anticipated by the cited patent.

Even if a half call context could somehow be gleaned from the teachings of Bjelland, it is nonetheless respectfully submitted that the rejection is improper. In this regard, for example, claim 1 (and claim 9) recites the function of establishing an originating half call context for the call based on the originating information. The Examiner relies upon a gateway 410 establishing a call context between the node 404 and terminating gateway 412. Because the gateway 412 is apparently part of a termination point in Bjelland, this does not fairly teach establishing an originating half call context based on originating information. Likewise, independent claim 1 (and independent claim 9) recites the function of establishing a termination half call context for the call based on the terminating information. The Examiner cites a call context from gateway 410 to node 404. However, because gateway 410 resides on the asserted originating side of the network, the Examiner's argument fails.

Independent claims 1 and 9 also recite controlling the originating and terminating half call context by a first control module and a second control module,

respectfully. Given the assertions of the Examiner regarding a call context, it is not clear from the reference that the controllers are indeed controlling a "half call context," as disclosed and claimed. Therefore, the Examiner's argument is not convincing.

Moreover, the Examiner relies on inherency for establishing at least seven of the claimed elements. It is respectfully submitted that even if the concept of the half call could somehow be gleaned from the configuration of the cited reference, the recited steps and/or elements of the claims (e.g., establishing, controlling, instructing) are not so easily inferred without the use of hindsight reasoning that is provided only by the present disclosure and claims. Therefore, the rejection should be removed.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-19) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Joseph D. Dreher, at (216) 861-5582.

Respectfully submitted,

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Date

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Date: October 30, 2007